

**RESOLUTION NO. 20050623-064**

**WHEREAS**, the City Council of the City of Austin has found that public necessity requires the acquisition by the City of certain real property interests as stated hereinafter for the purposes hereinafter stated; and

**WHEREAS**, the City of Austin has attempted to purchase said real property interests and has been unable to agree with the owner of the real property interests on the fair market value thereof; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

That the City Attorney, or other authorized designee, is hereby authorized and directed to file or cause to be filed a suit in eminent domain on behalf of the City of Austin against the owner now having or who may acquire an interest in the real property interests needed by the City, to acquire certain real property interests at the location hereinafter stated, for the purpose hereinafter stated, and from the owner hereinafter stated and/or her successors in interest, and to take whatever other action may be deemed appropriate to economically effect the needed acquisitions; said real property interests to be acquired are described in Exhibits "A" and "B," which are attached hereto and made a part hereof for all purposes.

The City Attorney or other authorized designee shall file eminent domain proceedings for:

Owner: Kathleen McComb

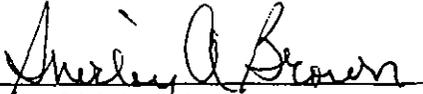
Project: Downtown/White Horse Trail Wastewater Improvements Project, a portion of the Austin Clean Water Program

Intended Purpose: permanent wastewater line easement, to upgrade and improve wastewater lines, to prevent leakage of wastewater lines, and to comply with a federal mandate; and, temporary working space easement, the temporary easement listed above is necessary to install wastewater lines.

Location: 2402 White Horse Trail, Austin, Texas, and see attached field notes.

ADOPTED: June 23, 2005

ATTEST:

  
Shirley A. Brown  
City Clerk

**Kathleen McComb**  
**Lot 61, Allandale Section Three**  
To  
City of Austin  
(For Wastewater Easement)

**FIELD NOTES FOR PARCEL 5106.17 WE**

**ALL OF THAT CERTAIN 0.019-ACRE (833 SQUARE FEET) TRACT OR PARCEL OF LAND SITUATED IN THE GEORGE W. SPEAR LEAGUE AND THE JAMES P. DAVIS SURVEY, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, OUT OF LOT 61, ALLANDALE SECTION THREE, A SUBDIVISION IN THE CITY OF AUSTIN, RECORDED IN PLAT BOOK 5, PAGE 102 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS AS CONVEYED BY GENERAL WARRANTY DEED TO KATHLEEN MCCOMB EXECUTED JANUARY 28, 1994 IN VOLUME 12113, PAGE 2237 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING FOR POINT OF REFERENCE** at a ½" iron rod found in the north right-of-way line of White Horse Trail (50' R.O.W.) at the southwest corner of said Lot 61, same being the southeast corner of a "Reserve" Lot of said Allandale Section Three;

**THENCE**, with the north right-of-way line of said White Horse Trail S62°41'28"E a distance of 114.62 feet to a calculated point having Texas State Plane Coordinate (Texas Central Zone, NAD '83 (CORS), U.S. Feet, Combined Scale Factor 0.999919) values of N= 10,096,692.60 and E= 3,113,863.57 for the southwest corner and **POINT OF BEGINNING** of the herein described tract of land;

**THENCE**, leaving said north line of said White Horse Trail and through said Lot 61, N39°47'14"E a distance of 27.71 feet to a calculated point on the west line of a 10' Drainage Easement as recorded in plat for said Allandale, Section Three for an angle point of this tract;

**THENCE**, continuing through said Lot 61 and with said west line of 10' Drainage Easement N27°19'38"E", passing at a distance of 118.34 feet the south edge of a 5-foot public utility easement (P.U.E.) also recorded in plat for said Allandale, Section Three and in Volume 1058, Page 98, of the Deed Records of Travis County, Texas and continuing for a total distance of 123.34 feet to a calculated point in the north line of said Lot 61, same being the south line of Lot "A, Fred McNair Subdivision, as recorded in Plat Book 77, Page 201, of the Plat Records of Travis County, Texas, for the northwest corner of this tract;

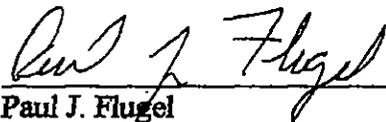
**THENCE**, with the common line between said Lot 61 and said Lot "A", S62°42'18"E" a distance of 5.00 feet to a calculated point on the west line of another 5-foot P.U.E. as recorded in said Allandale, Section Three plat and in Volume 1058, Page 98 of the Deed Records of Travis County, Texas for the northeast corner of this tract;

**THENCE**, through said Lot 61 and with said west line of said 5-foot P.U.E., S27°19'38"W, passing at a distance of 5.00 feet the said south edge of said 5-foot P.U.E. (mentioned in the second course) and continuing for a total distance of 150.39 feet to a calculated point on the north line of said White Horse Trail for the southeast corner of this tract;

**THENCE**, with said north line of said White Horse Trail, N62°41'28"W a distance of 10.98 feet to the **POINT OF BEGINNING** and containing 0.019-acre (833 square feet) of land, more or less.

**I HEREBY CERTIFY** that these field notes were prepared by Landmark Surveying, Inc. from a survey made on the ground in November of 2004 under my supervision.

Prepared by **Landmark Surveying, Inc.**

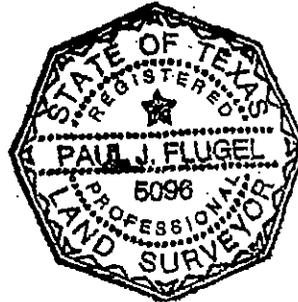


Paul J. Flugel

Registered Professional Land Surveyor No. 5096

Date: December 21, 2004

Revised: January 25, 2005



Bearing Basis: Texas State Plane Coordinates (Texas Central Zone, NAD '83 (CORS), U.S. Feet, Combined scaled factor = 0.999919). All data derived from NAD '83, coordinates as supplied by the City of Austin Monument Data Sheets

Z:\ClaunchandMiller\Whiterock\fieldnotes\lot61-Allandale3-WE  
Austin Map No 525, Grid J28  
TCAD No. 02-3203-0507

**FIELD NOTES REVIEWED**

By:  Date: 2-1-05

Austin Clean Water Program  
Survey Coordinator

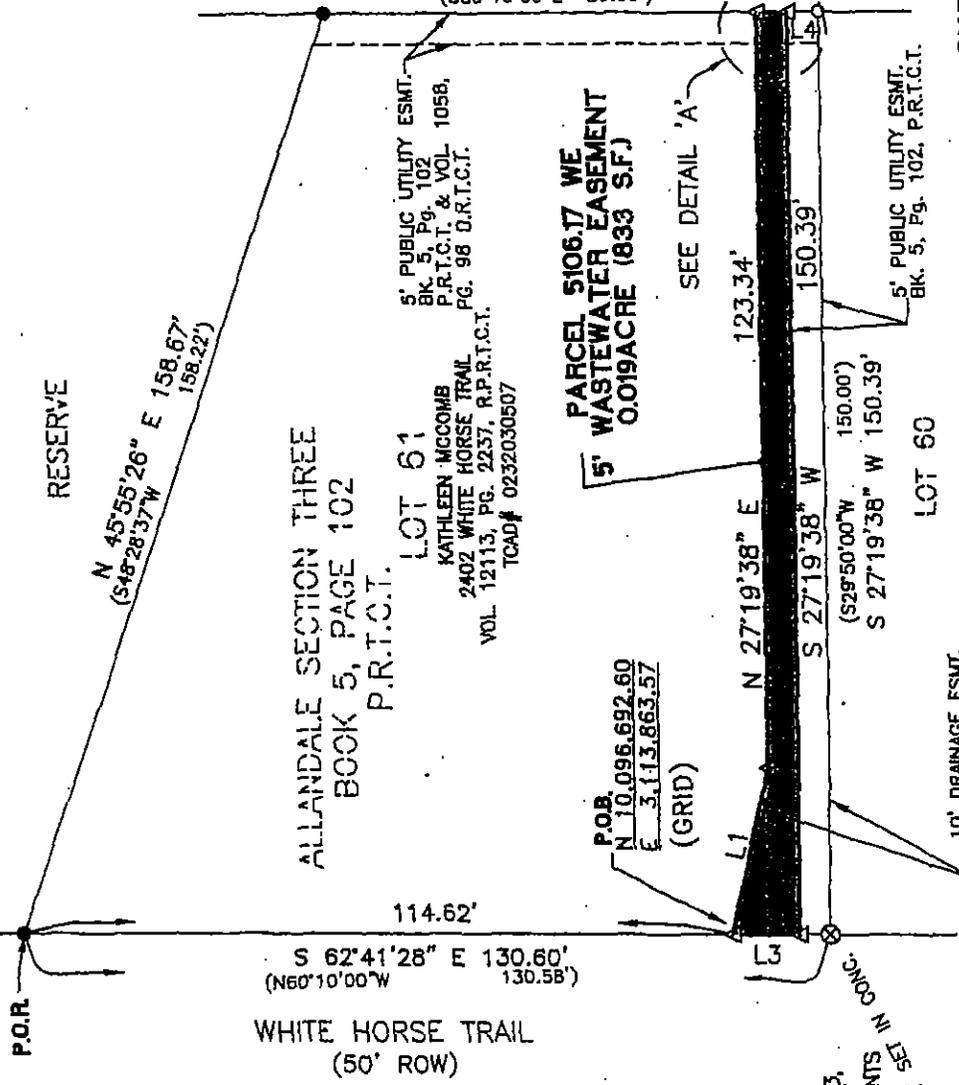


SCALE 1"=30'

FRED MCNAIR SUBDIVISION  
BOOK 77, PG. 201  
P.R.T.C.T.  
LOT "A"

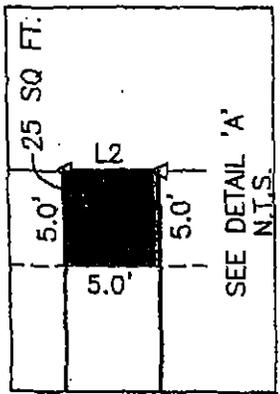
S 62°42'18" E 80.00'  
(S60°10'00"E 80.00')

**SURVEY OF A PORTION OF LOT 61,  
ALLANDALE, SECTION THREE,  
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS**



**SKETCH TO ACCOMPANY FIELD NOTES**

**Landmark SURVEYING, INC.**  
1301 S. CAPITAL OF TEXAS HWY.  
BUILDING B, SUITE 315  
AUSTIN, TEXAS 78748  
PH: (512)328-7411 FAX: (512)328-7413



**LEGEND**

- 1/2" IRON ROD SET W/CAP
- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- △ CALCULATED POINT (NOT ESTABLISHED ON GROUND)
- ( ) RECORD INFORMATION
- P.O.R. POINT OF REFERENCE
- P.O.B. POINT OF BEGINNING
- P.R.T.C.T. PLAT RECORDS TRAVIS COUNTY, TEXAS
- D.R.T.C.T. DEED RECORDS TRAVIS COUNTY, TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS
- R.P.R.T.C.T. REAL PROPERTY RECORDS TRAVIS COUNTY, TEXAS

**LINE TABLE**

L1	N 39°47'14" E	27.71'
L2	S 62°42'18" E	5.00'
L3	N 62°41'28" W	10.98'
L4	N 62°42'18" W	5.00'



NAD 83 COORDINATE SYSTEM (GRID)  
TEXAS CENTRAL (4203)  
COMBINED SCALE FACTOR 0.999919  
NAVD 88 VERTICAL DATUM  
HORIZONTAL AND VERTICAL COORDINATES FOR CB 53, CB 54 AND CB 55 AS PUBLISHED BY THE CITY OF AUSTIN WERE USED AS THE CONTROLLING MONUMENTS FOR THIS SURVEY.

AS SURVEYED BY  
LANDMARK SURVEYING, INC.

*Paul J. Flugel*

PAUL J. FLUGEL  
Registered Professional Land Surveyor No. 5096  
DATE : DECEMBER 21, 2005  
REVISED : FEBRUARY 1, 2005

THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE SIGNATURE AND SEAL OF THE ABOVE SURVEYOR.

Client: CLAUNCH & MILLER, INC.  
Date: DECEMBER 21, 2004  
Office: RSM  
Crew: Mgogo, Aochoa  
F.B.: 777, 780  
Disk: z:\claunch and miller\whitlock\landmark-drawings\grid-stuff\assessment\claunch-whitlock-esmbs.dwg  
Cups: c:\lee\claunch\whitlock c:\eagle\claunch\whitlock  
Plot No.: 511-01-01

**Kathleen McComb**  
**Lot 61, Allandale Section Three**  
To  
City of Austin  
(For 10' Temporary Working Space Easement)

**FIELD NOTES FOR PARCEL 5106.17 TWSE**

**ALL OF THAT CERTAIN 0.033-ACRE (1,423 SQUARE FEET) TRACT OR PARCEL OF LAND SITUATED IN THE GEORGE W. SPEAR LEAGUE AND THE JAMES P. DAVIS SURVEY, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, OUT OF LOT 61, ALLANDALE SECTION THREE, A SUBDIVISION IN THE CITY OF AUSTIN, RECORDED IN PLAT BOOK 5, PAGE 102 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS AS CONVEYED BY GENERAL WARRANTY DEED TO KATHLEEN MCCOMB EXECUTED JANUARY 28, 1994 IN VOLUME 12113, PAGE 2237 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING FOR POINT OF REFERENCE** at a ½" iron rod found in concrete in the north right-of-way line of White Horse Trail (50' R.O.W.) at the southwest corner of said Lot 61, same being the southeast corner of a "Reserve" Lot of said Allandale Section Three;

**THENCE**, with the north right-of-way line of said White Horse Trail S62°41'28"E a distance of 110.60 feet to a calculated point having Texas State Plane Coordinate (Texas Central Zone, NAD '83 (CORS), U.S. Feet, Combined Scale Factor 0.999919) values of N= 10,096,694.44 and E= 3,113,859.99 for the southwest corner and **POINT OF BEGINNING** of the herein described tract of land;

**THENCE**, leaving said north line of said White Horse Trail and through said Lot 61, N27°19'38"E", passing at a distance of 145.39 feet the south edge of a 5-foot public utility easement as recorded in said plat of Allandale, Section Three and in Volume 1058, Page 98 of the Deed Records of Travis County, Texas and continuing for a total distance of 150.39 feet to a calculated point in the north line of said Lot 61, same being the south line of Lot "A, Fred McNair Subdivision, as recorded in Plat Book 77, Page 201, of the Plat Records of Travis County, Texas for the northwest corner of this tract;

**THENCE**, with the common line between said Lot 61 and said Lot "A", S62°42'18"E" a distance of 10.00 feet to a calculated point on the east line of a 10-foot Drainage Easement as recorded in said plat of Allandale, Section Three for the northeast corner of this tract;

**THENCE**, through said Lot 61 and with the east line of said 10-foot Drainage Easement, S27°19'38"W, passing at a distance of 5.00 feet said south edge of said 5-foot P.U.E. and continuing for a total distance of 123.34 feet to a calculated point for an angle point of this tract;

**THENCE**, leaving said drainage easement and continuing through said Lot 61, S39°47'14"W a distance of 27.71 feet to a calculated point on the north line of said White Horse Trail for the southeast corner of this tract;

**THENCE**, with said north line of said White Horse Trail, N62°41'28"W a distance of 4.02 feet to the **POINT OF BEGINNING** and containing 0.033-acre (1,423 square feet) of land, more or less.

**I HEREBY CERTIFY** that these field notes were prepared by Landmark Surveying, Inc. from a survey made on the ground in November of 2004 under my supervision.

Prepared by **Landmark Surveying, Inc.**

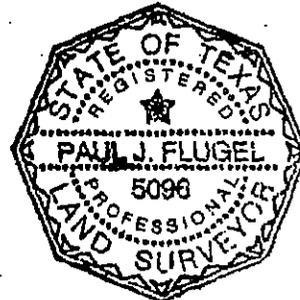


Paul J. Flugel

Registered Professional Land Surveyor No. 5096

Date: December 21, 2004

Revised: January 25, 2005



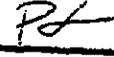
Bearing Basis: Texas State Plane Coordinates (Texas Central Zone, NAD '83 (CORS), U.S. Feet, Combined scaled factor = 0.999919). All data derived from NAD '83, coordinates as supplied by the City of Austin Monument Data Sheets

Z:\ClaunchandMiller\Whiterock\fieldnotes\lot61-Allandale3-10'twse

Austin Map No 525, Grid J28

TCAD No. 02-3203-0507

**FIELD NOTES REVIEWED**

By:  Date: 2-1-05

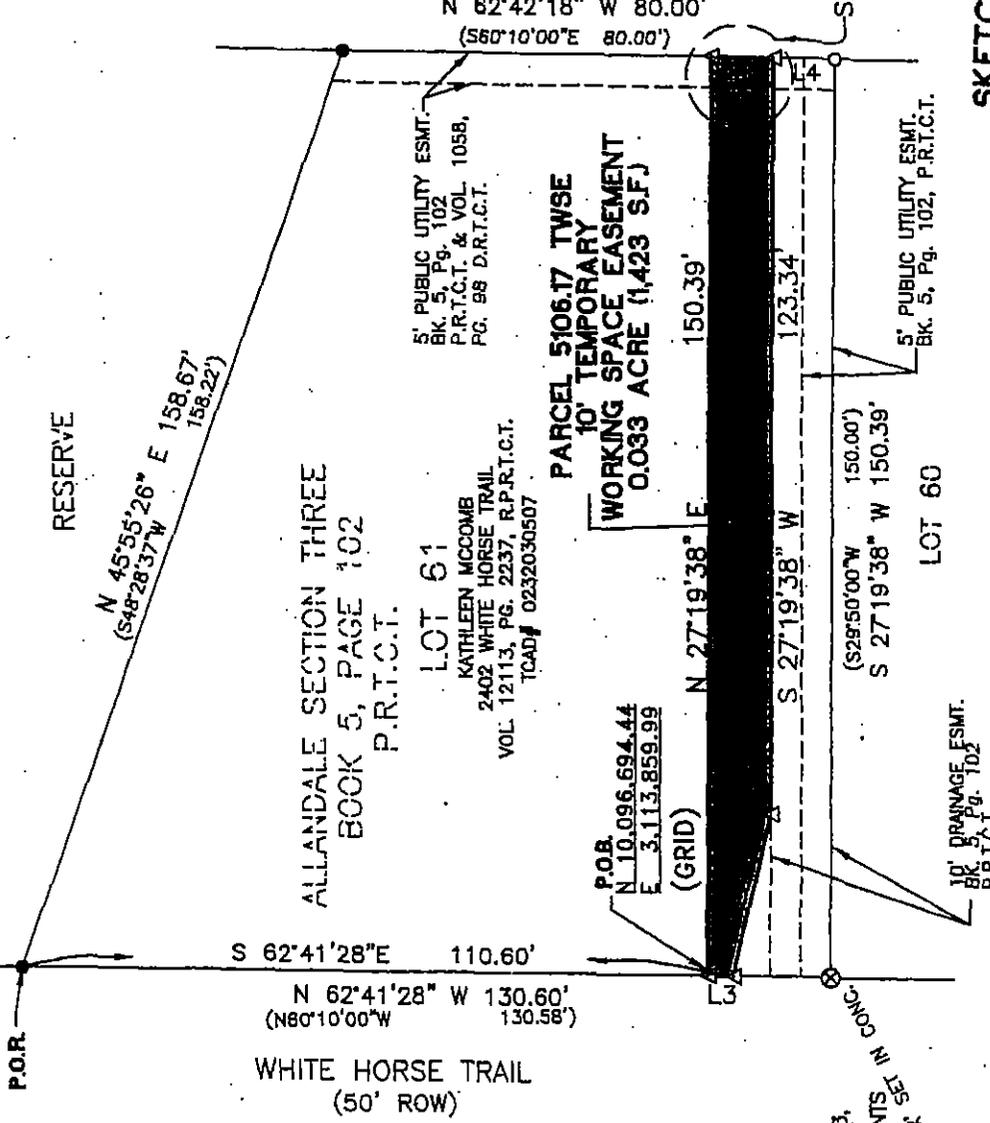
Austin Clean Water Program  
Survey Coordinator



SCALE 1"=30'

FRED MCNAIR SUBDIVISION  
BOOK 77, PG. 201  
P.R.T.C.T.  
LOT "A"

SURVEY OF A PORTION OF LOT 61,  
ALLANDALE, SECTION THREE,  
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS



SKETCH TO  
ACCOMPANY  
FIELD NOTES

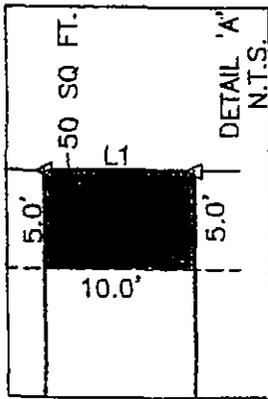
**Landmark**  
SURVEYING, INC.  
1301 S. CAPITAL OF TEXAS HWY.  
BUILDING B, SUITE 315  
AUSTIN, TEXAS 78746  
PH: (512)528-7411 FAX: (512)528-7415



- LEGEND**
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  - 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
  - A CALCULATED POINT (NOT ESTABLISHED ON GROUND)
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NAD 83  
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LANDMARK SURVEYING, INC.

*Paul J. Flugel*  
PAUL J. FLUGEL

Registered Professional Land Surveyor No. 5096  
DATE : DECEMBER 21, 2004  
REVISED : FEBRUARY 1, 2005  
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SIGNATURE AND SEAL OF THE ABOVE SURVEYOR.

Client: CLAUNCH & MILLER, INC.  
Date: DECEMBER 21, 2004  
Office: MOORE, ADSCHE  
Crew: 777, 760  
F.B.:  
Disk: z:\claunch and miller\whitlock\landmark drawings\plat--nat\ easement\claunch-whitlock-esmtb.dwg  
Copro: c:\ee\claunch\whitlock c:\eagle\claunch\whitlock  
Job No.: 630-03-04